

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

RANDY HOWARD, et al.,)
Plaintiffs,)
v.) CIVIL ACTION 09-0542-WS-N
EMC MORTGAGE CORPORATION,)
Defendant.)

ORDER

The plaintiffs filed a motion to dismiss this action without prejudice. (Doc. 17), and the defendant declined the opportunity to respond. (Doc. 18). Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(2), the motion is **granted**. This action is **dismissed without prejudice**.

DONE and ORDERED this 15th day of March, 2010.

s/ WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE